

**CITY OF KANNPOLIS, NC
PLANNING AND ZONING COMMISSION
Minutes of Regular Meeting
January 6, 2016**

The Kannapolis Planning and Zoning Commission met on Wednesday, January 6, 2016 at 6:00 PM in the Laureate Center at 401 Laureate Way, Kannapolis, North Carolina.

Commission Members Present: Chairman David Baucom
Vice-Chairman Scott Trott
Chris Puckett
Bob Caison
William Cranford
David Steele

Commission Members Absent: Alan Overcash

Visitors: Wayne Wilson
Priscilla Wilson
Peter Elmer

Staff Present: Zachary Gordon, AICP, Planning Director
Josh Langen, AICP, Senior Planner
Aaron Tucker, Planning Technician
David Jordan, IT

Recording Secretary: Pam Scaggs

CALL TO ORDER

Commission Chairman David Baucom called the meeting to order at 6:06 P.M.

ROLL CALL AND RECOGNITION OF QUORUM

Recording Secretary Pam Scaggs called the roll. The presence of a quorum was recognized.

APPROVAL OF AGENDA

Chairman Baucom asked for a motion to approve the agenda which was made by Mr. Trott, seconded by Mr. Steele and the motion unanimously approved.

APPROVAL/CORRECTION OF MINUTES

Chairman Baucom requested a motion to approve the November 4, 2015 minutes which was made by Mr. Trott, seconded by Mr. Steele and the motion was unanimously approved.

HERITAGE OAKS ESTATES ZONING MAP AMENDMENT – Z-2015-08

Planning Director, Zac Gordon provided an overview of Z-2015-08 and requested that the Commission vote to continue this case to the next meeting, February 3, 2016. Mr. Gordon explained that the applicant is requesting a rezoning from RV-CZ – Residential Village –

1 Conditional Zoning to RV – Residential Village but approving this would not be consistent with
2 the Land Use Plan (LUP). Mr. Gordon further explained that rezoning to RV would permit the
3 developer to build eight (8) units per acre where the LUP calls for two (2) units per acre. He
4 suggested instead, that the rezoning should request a change in the conditions currently in place
5 and would like the opportunity to amend Z-2015-08 to reflect as such and present to the
6 Commission at the February 3, 2016 meeting.

7
8 Mr. Trott asked for clarification on the location of the property because he thought that it appeared
9 to reside in Concord according to the map presented. Mr. Gordon explained that this particular
10 tract of land was part of a bigger tract that was originally part of a 2002 proposed 266-lot
11 development, and was annexed from the county in 2002 but the proposed development never
12 occurred. He further explained that the property was subsequently subdivided and sold to various
13 buyers but most definitely is part of the City of Kannapolis.

14
15 Chairman Baucom asked why change the zoning at all? Mr. Gordon explained that the conditions
16 currently in place were representative of the plan presented in 2002 for the 266-lot development.
17 The only way to allow for development on the subject piece of property is to remove it from the
18 conditions currently in place.

19
20 Mr. Trott asked that if the remaining property were to be developed, would the developer have to
21 provide utility connections? Mr. Gordon responded that yes they would and it would be extremely
22 difficult which is why the current applicant is requesting rezoning the subject property.

23
24 Mr. Cranford asked if the applicant and the owner are the same? Mr. Gordon responded “yes”.
25 Mr. Cranford then asked if the zoning is changed for this request, what is to keep the applicant
26 from piecemealing the remainder of the property? Mr. Gordon responded that the applicant does
27 not own all of the property and only owns the 3.51 acres included in the request. He further
28 explained that owners of the remaining property could certainly petition the City to develop but
29 that they would be limited due to the restrictions of water and sewer availability.

30
31 Mr. Cranford asked why not just rezone the entire property? Mr. Gordon responded that it is within
32 the power of the Commission to rezone the entire property if they felt it was necessary.

33
34 Mr. Puckett asked where the water and sewer connections end? Mr. Gordon responded that
35 connections end at the Pilot Station located next to I-85 which would be very expensive to extend.

36
37 There being no further questions or comments from the Commission, Chairman Baucom opened
38 the Public Hearing at 6:48 PM.

39
40 Priscilla and Wayne Wilson own property at 5847 Heritage Oaks Drive and requested clarification
41 on what is meant by a “unit”. Mr. Baucom responded that a “unit” is defined in this case as one
42 (1) single family residence. Mr. & Mrs. Wilson expressed concern regarding the zoning, the ability
43 to build eight (8) units per acre and the lack of sewer and water. Chairman Baucom explained that
44 is the reason for the rezoning request and Mr. Cranford showed the Wilson’s a map layout so that
45 they would have a better understanding of the proposed development.

1 Peter Elmer, representing the owner, Blue Jay Investments, stated that they are only interested in
2 developing the 3.51 acres with two (2) units per acre.

3
4 There being no further questions or comments, Chairman Baucom asked for a motion to continue
5 the Public Hearing on case Z-2015-08 to February 3, 2016 which was made by Mr. Cranford,
6 seconded by Mr. Caison and the motion was unanimously approved.

7
8 **FARM HILL SMALL AREA PLAN**

9 Mr. Gordon provided an overview of the Farm Hill Small Area Plan, stating that he would like to
10 make a formal presentation to the Commission on February 3, 2016 and would like an approval
11 for recommendation to City Council which he would then present on February 22, 2016.

12
13 **PLANNING DIRECTOR UPDATE**

14 Mr. Gordon stated that a Scope of Work for the Comprehensive Plan will be submitted to the
15 Planning and Zoning Commission for their review and input at the March meeting, followed by a
16 request for proposals from contractors so that work can begin.

17
18 Mr. Gordon reminded the Commission that DFI (Development Finance Initiative) made a
19 presentation to City Council in November which could be found on the City's website. He added
20 that DFI proposed a 120 unit apartment and 50 unit condo complex with retail space on the ground
21 floor. DFI also recommended a 60,000 square foot building geared towards an educational facility,
22 citing Rowan Cabarrus Community College as a potential occupant. DFI also suggested a baseball
23 stadium, a children's museum or a performing arts center be built in the downtown area. Mr.
24 Gordon stated that City Council was supportive of the proposal and directed DFI to create a plan
25 that could then be presented to developers. DFI is expected back to City Council in March with
26 an update.

27
28 **ADDITIONAL ITEMS:**

29 Mr. Gordon stated he is currently interviewing for the Senior Planner position and hopes to make
30 a decision and have the position filled by end of February.

31
32 Mr. Gordon also stated that the owner of the remaining property at Kellswater has submitted a
33 preliminary plan to build out an additional 200 units. Chairman Baucom asked if commercial
34 development at Kellswater is still a possibility? Mr. Gordon responded that with more houses,
35 interest will come from commercial developers.

36
37 Mr. Puckett asked what the Zoning sign was for on Kannapolis Parkway? Mr. Gordon responded
38 that there is a development proposal for townhomes located across from the Rogers Lake
39 intersection with Kannapolis Parkway. Mr. Trott asked if it was a Board of Adjustment sign? Mr.
40 Gordon responded "yes". Mr. Trott asked if the townhome proposal was in the same area as the
41 proposed nursing home? Mr. Gordon responded that the nursing home would be located near the
42 existing Medical office facility closer to Highway 3.

43
44 Mr. Gordon also updated the Commission on the widening project of Highway 3 which would
45 begin at Kannapolis Parkway and end at Dale Earnhardt Boulevard. It was expected to begin in

1 2016 but has been pushed to early 2017. He added that property acquisition was expected to be
2 completed by the end of 2016.

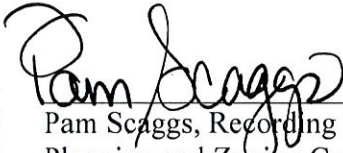
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4 **ADJOURN:**

5 There being no further business, the meeting adjourned at 7:58 PM on Wednesday, January 6,
6 2016.

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David Baucom, Chairman
Planning and Zoning Commission



Pam Scaggs, Recording Secretary
Planning and Zoning Commission